

REMARKS

The specification has been amended. In particular, the term "Fig. 1" was replaced with "Scheme 1" on pages 2, 3, and 9. Entry of the amendments is respectfully requested.

The United States Patent and Trademark Office alleged in a communication of March 8, 2010 and facsimile of March 2, 2010, that the illustrations on page 3 do not come within the exceptions of 37 CFR 1.58(a). Contrary to the indication in the document entitled "PRINTER RUSH", the Examiner spoke with the undersigned on March 2, 2010, and not March 2, 2009.

Applicants' representative, Nichole E. Martiak, discussed the illustrations with Don Fairchild on March 29, 2010. Mr. Fairchild agreed that amending the term "Fig." to "Scheme", and submitting a Rule 312 statement and substitute specification was sufficient for overcoming the objection to the illustrations. Applicants respectfully submit that the amendments to the specification obviate the need for the submission of drawings pursuant to 37 C.F.R. §1.81 and respectfully submit that the objection has been overcome.

It is respectfully submitted that the amendments to the application are with regard to form only and that no new matter has been added. Moreover, applicants respectfully submit that no additional searching is required.

In addition, Applicants refer to the Notice of Allowance dated December 30, 2009, and the Examiner's Amendment included therewith. Contrary to the indication in the Examiner's Amendment, the undersigned never authorized the insertion of the phrase "--1 or--" in claim 15, line 1, after the term "claim". Moreover, contrary to the indication in the Examiner's Amendment, the undersigned never authorized the cancellation of claim

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7. Additionally, contrary to the indication in the Examiner's Amendment, the undersigned did not speak with the Examiner on or about December 1, 2009. Rather, on November 18, 2009, the undersigned authorized Examiner Audet to amend claim 7 to be in the same "form" as claim 15 (except for its dependency). In particular, the Examiner was merely authorized to amend claim 7 as follows:

7. Compounds according to claim 1, wherein the compounds thereby characterized that they are present as acid addition salts in the form of hydrobromides, hydrochlorides, trifluoroacetates or acetates.

On December 23, 2009, the undersigned spoke with Examiner Audet and brought the aforementioned errors in the Examiner's Amendment to Examiner Audet's attention. During that conversation, Examiner Audet indicated that he recalled that the amendment to claim 15 in the Examiner's Amendment and the cancellation of claim 7 were not amendments which the undersigned had authorized. Examiner Audet also indicated that the unauthorized amendments to the claims could be corrected by way of a Rule 312 submission. Accordingly, Applicants are filing this submission and respectfully request entry of the claim amendments herein, which reflect the claim amendments which are authorized by the Applicants (including the amendments to claims 5 and 6 which are set forth in the Examiner's Amendment and which are set forth in the claim listing presented herein). Correction is respectfully requested.

Furthermore, Applicants again wish to point out on the record that contrary to the Examiner's comments in the Interview Summary, the undersigned never stated that "negative claim limitations in claim 1" were "not made in view of the art, but rather made because either they were deemed either inferior or non-working combinations." Rather, on November 18, 2009, the undersigned informed Examiner Audet that the proviso "provided that the following cases do not occur simultaneously: $R_1 = \text{NHC}(\text{NH})\text{NH}_2$, $R_2 = \text{Z}$ and $(\text{AA}_2) = \text{non-substituted or Boc-substituted L-lysine}$ " was added to claim 1 to exclude the compound of Hong et al., "Development of Substrate for Carboxypeptidase-

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B by Employing Thiaarginine Peptides", Bull. Korean Chem. Soc., Vol. 19, No. 2, 1998, pages 189-193 (the "Hong et al. reference"), which Applicants made of record in an Information Disclosure Statement dated June 28, 2005. The misstatements which the Examiner made in the Interview Summary which was included with the Notice of Allowance were addressed by way of a Statement of the Substance of Interview dated January 29, 2010.

Favorable action is earnestly solicited. If there are any questions or if additional information is required, the Examiner is respectfully requested to contact the undersigned at the number listed below.

Respectfully submitted,



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